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UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

CONFIDENTIAL

TO : Richard G. Kleindienst
Deputy Attorney General

DATE: JUL 22 1968

Executive Order

FROM : John N. Mitchell
Attorney General

SUBJECT: Establishment of Departmental Disturbance
Group

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In order to carry out the responsibilities assigned to this Department by the President to coordinate all civilian activities in connection with civil disturbances and to establish law enforcement policies for federal forces in the event they are used in such disturbances, the attached Civil Disturbance Plan is hereby adopted.

Pursuant to such plan a Civil Disturbance Group is hereby established in the Office of the Deputy Attorney General. Until further notice, the Acting Chief of Staff of the Civil Disturbance Group will be Assistant Attorney General Jerris Leonard. Mr. James P. Turner is appointed Acting Executive Assistant and is authorized to employ one secretary (grade 8) and one research analyst (grade 9). For this purpose Mr. Turner is relieved of all present assignments. The Inter-division Information Unit, previously assigned to the Criminal Division, is re-assigned to the Civil Disturbance Group with all existing personnel, and shall continue to carry out its present functions. Mr. James T. Devine will continue to be in charge of this unit.

Assistant Attorneys General Leo M. Pellerzi and Jerris Leonard will establish the Attorney Generals Command Post at a suitable location within the Main Justice Building and are authorized to obtain and install the necessary communication equipment.

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The Intelligence Evaluation Committee shall perform the duties outlined in the attached Plan and shall consist of the following persons, together with such staff members as they desire:

Cartha DeLoach, Assistant Director, FBI, Chairman
Assistant Attorney General Walter Yeagley
Assistant Attorney General Will Wilson
Ben Holman, Director, Community Relations Service
Mr. James T. Devine
Mr. James P. Turner
Designated representatives from Secret Service
and Army Intelligence

The Law Enforcement Policy Committee shall perform the duties outlined in the attached Plan and shall consist of the following persons and such staff members as they desire:

Deputy Attorney General Richard Kleindienst,
Chairman
Assistant Attorney General Jerris Leonard
Assistant Attorney General William H. Rehnquist
General Counsel, Department of Army
Executive Assistant, Civil Disturbance Group,
Ex officio

The Deputy Attorney General shall be responsible for organizing the District of Columbia Civil Disturbance and Demonstration Team as set forth in the attached Plan.

In addition to the general responsibilities set forth in the attached Civil Disturbance Plan, the following specific assignments shall be accomplished forthwith:

1. Chief of Staff.

- (a) Review the present status of information provided to the Governors of each state relative to the proper procedure for requesting federal assistance and proposing such additional instructions as are needed.

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- (b) Conduct regular civil disturbance team meetings to acquaint all team members with their responsibilities.
- (c) Arrange for a federal program specialist from the Bureau of the Budget to be assigned to each civil disturbance team.
- (d) If feasible, conduct city visits by at least the first three civil disturbance teams.

2. Executive Assistant. Under the direction of the Acting Chief of Staff, the Acting Executive Assistant shall do the following:

- (a) Make arrangements for transportation, office space, communications and clerical assistance in any disturbance areas where teams are sent.
- (b) Act as direct liaison with other agencies, principally DOD and GSA, during nondisturbance periods. Continue review of guidelines for protection of government property with GSA.
- (c) Maintain and index the civil disturbance research files. This would include all memoranda written by any division or office about the power of the Executive to commit troops, problems of bail, search and seizure, arrests, detention, policy memoranda, etc.
- (d) Maintain and index a basic library which include all reports and commission studies (as the Vance report) written about the disturbance, violence studies, scholarly works on the subject of disturbances and law enforcement problems in connection with disturbances. He should read,

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summarize and circulate a short summary of all such studies, reports or scholarly works to the members of the disturbance teams and the Deputy Attorney General and the Attorney General.

- (e) Secure, maintain and index the various types of operational contingency plans for disturbances and demonstrations by federal agencies, law enforcement agencies, courts, prisons, and jails, as models.
- (f) During nondisturbance periods he should plan and schedule meetings, conferences, and dry-runs for training purposes for members of the civil disturbance teams, and the supporting U. S. Attorneys and U. S. Marshals offices.
- (g) Establish through liaison with GSA uniform policies for the protection of government buildings and properties during periods of civil disturbance. These policies should be communicated to all United States Attorneys.

3. Law Enforcement Advisory Committee. An initial meeting should be scheduled within the next 10 days. Policies should be formulated on the following:

- (a) Prepositioning and troop visibility prior to full commitment.
- (b) Arrest policies.
- (c) Search and seizure policies.
- (d) The use of force.
- (e) Confinement and bail (essentially a state problem but when federal troops are committed the local policies substantially affect the federal responsibility.
- (f) Curfew.

CIVIL DISTURBANCE PLAN

The President has delegated to the Attorney General responsibility (1) for coordinating all civilian activities in connection with civil disturbances and (2) to establish law enforcement policies under which federal forces must operate in the event such forces are committed.

The purpose of this plan is to provide a structure (the disturbance group) within the Department of Justice staffed with sufficient personnel to carry out these assignments. Two fulltime operational units in the disturbance group have been established, namely the Executive Office and the Interdivisional Intelligence Unit. In addition there are two standing committees, namely the Intelligence Evaluation Committee and the Law Enforcement Policy Committee which directly advise the Attorney General.

In order to meet the delegated responsibilities three essential day-to-day functions must be performed.

First, the Department has a responsibility to be informed as to areas of potential disturbances throughout the country, and to monitor all such disturbances

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which do occur whether or not they become serious enough to activate a civil disturbance team. The IDIU and the Intelligence Evaluation Committee perform this function. They are charged with the collection and evaluation of all intelligence data in order for the Attorney General to make a judgment as to the necessity for calling into operation the civil disturbance teams.

Second, law enforcement policies involving such matters as use of force, arrest, detention, search and seizure, curfew, etc., must be established so that the Army, in the event of commitment of federal forces, will operate within the confines of such policy. The Law Enforcement Policy Committee performs this function.

Third, making plans for and training departmental personnel in the disturbance group and coordination with all other interested federal agencies must be done if the disturbance group is to be effective and operational on short notice. This function is the responsibility of the Executive Office. The day-to-day operations of that office will be performed by the Executive Assistant.

When there is a substantial likelihood of the necessity of activating the civil disturbance teams, the following plan will go into effect.

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Phase I. Activation of Civil Disturbance Teams.

1. Executive Office. The Civil Disturbance Group Executive Office, located in the Attorney General's Command Post, has over-all responsibility for setting in motion prearranged plans and for coordinating all interested federal agencies.

2. Intelligence. The IDIU will keep the Attorney General, Deputy Attorney General, the Executive Officer, the Public Information Officer, and the Civil Disturbance Team leaders routinely informed of any significant developments in major cities.

When the situation becomes so serious as to warrant possible activation of civil disturbance teams, the Attorney General, Deputy Attorney General, Executive Officer, and the Senior Civil Representative of Team 1 and the Public Information Officer, will be notified immediately.

3. Decision to go - by the Attorney General only.

(a) The Attorney General will, by order to the Senior Civilian Representative, activate the team.

(b) The Executive Assistant will take the following steps:

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- (1) Notice to Team. Notify all of the team members to report immediately to the Attorney General's Command Post for briefing and alert the Senior Civilian Representation of Team 2 (the Attorney General may opt to alert all Senior Civilian Representatives at this point).
- (2) Command Post. Activate the Attorney General's Command Post.
- (3) Transportation. Notify DOD, make inquiry for commercial flights, and arrange for transportation for all team members, and arrange for transportation from the Department of Justice to point of flight departure.
- (4) United States Attorney. Notify the United States Attorney to undertake to complete assignments in Phase II.
- (5) If mobile radio equipment is to be used for Disturbance Team, notify Border Patrol and arrange for radio network in disturbance area.

(c) IDIU Chief will immediately canvass all intelligence sources and report to Attorney General's Command Post for intelligence briefing. He will deliver to Senior Civilian Representative background information, maps, city notebooks on disturbance area.

(d) The Deputy Attorney General will take all steps necessary to inform Senators and Congressmen concerned with the disturbance area.

(e) Public Information Officer will notify White House press office.

DISTRICT OF COLUMBIA CIVIL DISTURBANCE
AND DEMONSTRATION TEAM

I. Organization and Responsibilities

A. Organization

The Deputy Attorney General has over-all responsibility for the team's operation.

Assigned to his staff are:

- (1) Chief of staff
- (2) Public Information Officer
- (3) Military Liaison Officer
- (4) FBI Liaison Officer
- (5) Community Relations Service Representative
- (6) Senior attorney
- (7) Street team of ten attorneys

Except in periods of major disturbance, or at other times during demonstrations at the discretion of the Deputy Attorney General, only the Chief of Staff, Community Relations Service Representative, the Senior Attorney, and street teams will be operational.

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Headquarters for the team is in the Attorney General's Command Post.

B. Responsibilities

1. The Deputy Attorney General has over-all responsibility for the operation of the team. He shall keep the Attorney General advised of the current situation and to make recommendations as to the need for federal law enforcement assistance in the event of major disturbance. He has the responsibility to see that the law enforcement policies of the Attorney General are complied with by law enforcement officials in the District of Columbia, the National Guard, and the Army.

During demonstrations, his duty location will be at the Attorney General's Command Post except during times when he deems it necessary to be at the Mayor's Command Center for the District of Columbia. During periods of major disturbance when federal forces are committed, he will headquarter at the Command Post of the Military Commander.

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2. The Chief of Staff has overall operational responsibility for the District of Columbia team and he shall implement the decisions of the Deputy Attorney General. During times of demonstrations or major disturbance he has responsibility to maintain liaison with the General Counsel of GSA, (with respect to demonstration or disturbances in or around government buildings or property) the United States Attorney and other interested agencies. He has responsibility for controlling the street teams of attorneys.

He has responsibility to coordinate the various law enforcement components in the District of Columbia (Metropolitan Police, Capitol Police, Supreme Court Police, GSA and Park Police and Secret Service) and to establish a plan for jurisdictional responsibilities during times of major demonstrations or disturbances.

During times of disturbances his post will be in the Attorney General's Command Center or, at the option of the Deputy Attorney General, the Mayor's Command Center.

3. The Public Information Officer, Military Liaison Officer, and FBI liaison Officer, if activated, will be located in the Attorney

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General's Command Center.

4. The Community Relations Service representatives will maintain community contacts or contacts with demonstrating groups and contact with Mayor's Community Relations Specialist. He will report directly to the Chief of Staff.

5. The Senior Attorney has the responsibility to coordinate with the United States Attorney on problems of arrest, detention, bail, defense counsel, etc., and to assist him and his staff in working with contingency plans for major demonstrations, mass arrests and disturbances. Those plans should include the capability of the United States Attorney's office to have personnel available for street duty, for legal advice to police commanders. He shall assist the Chief of Staff in undertaking other duties as are necessary.

6. The Street Teams shall be on call for observation of demonstrations and they will be equipped with mobile radios or handie talkie sets for direct reports to the Attorney General's Command Post.

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II. Communications

The Executive office of the United States Marshals shall be responsible for radio communications in connection with disturbances in demonstrations in the District of Columbia, and for transportation of members of the team. A base set shall be established in the Attorney General's Command Post, at least 10 mobile radio units shall be operational and twelve handie talkies available for use by street teams.

III. Intelligence

The Interdivisional Intelligence Unit will collect information on demonstrations and potential disturbances or tense situations in the District of Columbia. And will follow the Department of Justice civil disturbance plan with respect to notifying responsible officials of significant developments.

The IDIU shall, when the team is activated, man the direct line in the Mayor's Command Center for conveying all information from that center immediately to the IDIU.

IV. Decision to Activate

When the situation becomes serious enough to warrant the possibility of activation of the District of Columbia team, the Deputy Attorney

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and the Executive Assistant (who is also Chief of Staff of this team) shall be contacted immediately. The Deputy Attorney General shall make the decision to activate the team at whatever operational level he deems commensurate with the situation.

When the decision is made, the Executive Assistant (Chief of Staff) will notify all appropriate team members and communication support members to report to the Attorney General's Command Post for briefing. He will contact the Mayor's Command Center, all law enforcement jurisdictions in the District of Columbia, that the team has been activated.

He will notify the United States Attorney of the activation of the team and the appropriate responsible officials in that office will report to the Attorney General's Command Post for briefing.

All operations shall generally follow the plan of action for the Justice Department civil disturbance team, where appropriate.

Phase II. Activation of support personnel in
disturbance area.

a. Upon receipt of notification that the Senior Civilian Representative will be arriving in the disturbance area, the local United States Attorney will take the following steps:

- (1) Notify the Mayor, Police Department and Governor's office and local Guard Commander if he has contact with him.
- (2) Activate all of his attorneys and staff to report to duty immediately.
- (3) Notify SAC and arrange for assignment of agent with radio equipped car to meet Senior Civilian Representative at airbase or airport.
- (4) Notify U. S. Marshal and arrange for transportation from airport or airbase for other members of disturbance team.
- (5) Set in motion with SAC previously arranged plan of forwarding information and intelligence about disturbance situation to U. S. Attorney's office or such other task force headquarters location provided for.

(6) Activate all necessary telephone lines previously arranged for.

- b. United States Marshal's office will provide transportation for the members of the team other than the Senior Civilian Representative. United States Marshal will activate previously arranged hotel accommodation and carry out such other duties as have been previously agreed upon.
- c. SAC will activate previously arranged plans for collection of intelligence and situation information for transmittal to the team headquarters, provide transportation to the Senior Civilian Representative in a vehicle that is equipped with a radio on the FBI channels.

Phase III. Operations

Upon arrival the Senior Civilian Representative will be in charge of all Justice operations. His Chief of Staff will execute all command decisions in an effort to establish the following contacts:

- a. Public Information Officer to make local newspaper and media contact for the purpose of securing information from that source as quickly as possible.
- b. LEAA will make local Police contact.

- c. Community Relations Service will make its community contacts.
- d. U. S. Attorney will maintain liaison with local police officials.
- e. Senior Attorney will arrange for contact with local Bar officials, Judges, Detention, Bail Bondsmen, and take such other and further steps as are necessary to activate the process of judicial administration and will carry out such other assignments as are assigned by the Chief of Staff. He will be assisted by members of the local U. S. Attorney's office.
- f. The Federal Program Coordinator will establish contact with local federal agencies and make all necessary preparations for emergency assistance.
- g. Operation Relation to Senior Civilian Representative--Senior Civilian Representative is the representative of the President and the Attorney General at the scene, is to provide them with information and his judgment. Therefore, he should be freed to the maximum extent of routine matters. The Chief of Staff

therefore, is to the maximum extent practicable, to direct operations. It is imperative that all units functioning be in a position to provide the Senior Civilian Representative with the most accurate information available as quickly as possible. The Senior Civilian Representative should also be in a position to take those steps necessary and advisable to bring about a restoration of order by negotiation, persuasion and methods other than force. To this extent he should be in a position to meet with local community leaders, Governmental and otherwise. The prospective effectiveness of such meetings must be determined based on information provided by the entire Task Force operating at the scene. He must also be in a position to advise the Attorney General and the President that the situation is no longer within the control of local and national guard capability, and that federalization pursuant to the previous directives of the President, is necessary.

Phase IV. The Entry of military forces--
to be decided by the President alone.

The headquarters established by the U. S. Attorney, if at all possible, will continue to be the core of the Department of Justice operations. Routinely, Task Force members should continue to give and inform the Chief of Staff who will remain in the headquarters.

The Senior Civilian Representative will accompany the Commanding General and will remain at military headquarters. If it is advisable the Senior Civilian Representative will take with him his Public Information Officer, the agent assigned to him, and at least one staff assistant. The military will provide at least a table and several telephones for their use.

Communications and health facilities will be provided by the military to those Justice Department employees at the military post.

Public Information Function. No information will be released from the scene except by the Public Information Officer upon approval by the Senior Civilian Representative. However, staff members at headquarters in the absence of the

Senior Civilian Representative, should take all necessary steps to communicate with the Public Information Officer in order to accomplish the following:

- a. Informing the press that a rumor, which may be of an inflammatory nature, is false;
- b. requesting the press, on a voluntary basis, to delay publication of a story which is true but which may be of an inflammatory nature;
- c. by specific authorization of the Attorney General to issue a statement on behalf of the Department in a particular emergency situation.

The Public Information Officer on the scene will make contact with the editors of the most influential media to inform them of our presence and to set up direct lines of communications to newspaper management if and when such communications become necessary.

If the military moves in, the Department of Defense will provide the necessary manpower and facilities to deal with the press at the

tion Officer but reserve to himself and to the Attorney General any major policy decisions.

Phase V. Withdrawal of disturbance teams

The decision to withdraw or phase out the disturbance team will be made by the Attorney General.